

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	No. 3:05-CR-113
V.)	(PHILLIPS/SHIRLEY)
)	
)	
DONALD R. HARMON,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. This matter came upon joint application of defendant and the United States on Motion For Temporary Release On Conditions [Doc. 193]. Defendant requests temporary release upon conditions because defendant Harmon's minor child was involved in a serious motor vehicle accident on October 13, 2006 and that said child passed away on November 5, 2006. Defendant desires to participate in making his daughter's funeral arrangements and to attend her funeral services.

The United States has represented no objection to defendant Harmon being released until 4:00 p.m., Friday, November 10, 2006 in order to be with family and attend to his child's funeral arrangements and attend her funeral services.

The Court finds that this request for temporary release is well founded and reinstates each of the conditions of release defendant Harmon was on prior to the previous revocation of those conditions. Specifically, additional conditions are imposed that (1) defendant Harmon not travel

outside of Blount County or Knox County, Tennessee; (2) defendant Harmon not have any contact with any other person associated with his cases other than his family members, (3) defendant Harmon shall, other than when making funeral arrangements and/or attending funeral services, remain at his home, (4) defendant Harmon may also meet with his attorney; and (5) that defendant Harmon report back to the Blount County jail to the custody of the United States Marshal by 4:00 p.m., Friday, November 10, 2006.

Therefore, defendant Harmon's Motion For Temporary Release On Conditions [**Doc. 193**] is **GRANTED** and **IT IS THEREFORE ORDERED** that the United States Marshal release Donald Harmon on the conditions previously set in this case and the conditions specified herein and that defendant Harmon report back to the Blount County jail to the custody of the United States Marshal by **4:00 p.m., Friday, November 10, 2006**.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge